

# RECORD OF RESOLUTION

Resolution No. 2024-R-18

Passed August 20, 2024  
YEAR

## VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO. 2024-R-18

OPERATOR OF RECORD  
WATER/SEWERAGE  
OAC 3745-7-02

A RESOLUTION DESIGNATING **MICHAEL D. STEVENS** AS OPERATOR OF RECORD TO OVERSEE THE TECHNICAL OPERATION OF THE PUBLIC WATER AND SEWERAGE SYSTEMS AND AUTHORIZING AND DIRECTING THE MAYOR AND FISCAL OFFICER TO ENTER INTO CONTRACT AND DECLARING AN EMERGENCY

WHEREAS, the Village owns and operates a public water system provided by RC 715.08. See also Chapter 1042 of the **Greenwich** Codified Municipal Code of Ordinances; and

WHEREAS, the Village also owns and operates a sewerage system provided by RC 715.40. See also Chapter 1044 of the **Greenwich** Codified Municipal Code of Ordinances; and

WHEREAS, Section 3745-7-02 of the Ohio Administrative Code requires that the owner or operator of a public water and/or sewerage system shall designate one or more operator of record to oversee the technical operation of the works, systems, plants and facilities; and

WHEREAS, Council has been informed that the contract/agreement for the previously designated licensed water/sewerage Operator of Record will expire on **December 31, 2024**; and

NOW THEREFORE, BE IT **RESOLVED** BY THE COUNCIL OF THE VILLAGE OF **GREENWICH**, STATE OF OHIO: (RC 731.18)

**SECTION 1.** That Village Council hereby determines it is necessary to retain the services of a licensed Operator of Record to oversee the technical operation of the public water system and the sewerage system and comply with Ohio Environmental Protection Agency rules and regulations.

**SECTION 2. DESIGNATION OF OPERATOR OF RECORD.** That as required by Sections 3745-7-02(A)(1) and (2), the following is hereby designated as Operator of Record for the village public water and sewerage systems:

***MICHAEL D STEVENS***  
***WSI - 20182292-20      Expiration date 12/31/2024***  
***WWI - 20182292-20      Expiration date 12/31/2024***

**SECTION 3. COMPENSATION.** The Operator of Record compensation may be fixed by Council pursuant to ORC 731.13.

**SECTION 4. NOTIFICATION.** That pursuant to Section 3745-7-02(A)(1)(a) and (2)(b) the Village Administrator and Fiscal Officer are hereby directed to coordinate their efforts to notify the director of the Ohio Environmental Protection Agency of the identity of an operator of record upon initiation or termination of service or upon request by the director.

**SECTION 5.** That this Resolution shall supersede any and all other previous legislation relating to the designation of the licensed Operator of Record.

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SECTION 6. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 705.15 and 731.17(A)(2)]

SECTION 7. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this legislation is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

*The Village has recently initiated a new Operator of Record. The current certifications will expire on 12/31/24.*

SECTION 12. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this legislation were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 20 day of August 20, 2024.

### ATTESTATION (RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Jan Inadell  
MAYOR

Shellie Cherry  
FISCAL OFFICER

### LEGISLATION READINGS ORC 731.17(A)

- (1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.  
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 8/20/24 Second Reading: Dispensed Third Reading: Dispensed

### ROLL CALL VOTE ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

Yes  
Mike King

Yes  
Randy Wilson

Yes  
Lynne Phillips

Yes  
Jason Hunter

Yes  
Regina Lueck

Yes  
Dorene Beverly

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

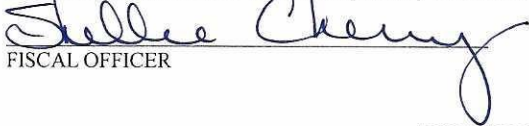
Steve Palmer  
VILLAGE CLERK, Steve Palmer

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CERTIFICATE OF PUBLICATION  
ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**  
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

  
FISCAL OFFICER

ATTACHMENT(S) TO FOLLOW



**CONTRACT BETWEEN**  
**VILLAGE OF GREENWICH**  
**AND**  
**MICHAEL STEVENS**  
**FOR**  
**THE CONTRACT OPERATIONS OF VILLAGE OF GREENWICH**

This agreement entered into this 19 day of July, 2024 in Huron County, Ohio, by and between The Village of Greenwich, hereinafter called "The System", and Michael Stevens., hereinafter called "The Operator".

**RECITALS:**

The system hereby contracts for the services of the operator to furnish contract professional certified operator(s) for the contract operation of its water/wastewater facilities in accordance with the Ohio Environmental Protection Agency (Ohio EPA) rules and regulations. The Operator's operation of the system's public water system/wastewater treatment system shall be in compliance with all rules covered by Ohio Administrative Code (OAC) Chapter 3745.

**THE PARTIES AGREE TO AS FOLLOWS:**

**SECTION 1 – SERVICES**

The operator will provide a minimum of one professional certified operator with not less than an Ohio Class 1 Water Supply and Class 1 Wastewater Operator professional operator's certification to provide services to the system. This contract is for an as needed basis to cover for planned operator absence. The Operator will spend 1 hour per day and 3 day(s) per week physically present at the facilities to meet the minimum staffing requirements as required by OAC rule 3745-7-03 or 3745-7-04.

**SERVICES PROVIDED BY THE OPERATOR SHALL BE AS FOLLOWS:**

1. Visit the Village of Greenwich and check operations at each location as required by OAC Rule 3745-7-03 or 3745-7-04.
2. Perform the technical operation of the facility.
3. Maintain a log book record of all operational activities at the facility in accordance with OAC Rule 3745-7-09.
4. Perform, observe and log routine and preventative maintenance, in accordance with OAC rule 3745-7-09, and instruct the system's maintenance personnel on any of the day-to-day checks as needed.

5. Ensure all necessary laboratory work and process testing is performed by or at the direction of a certified professional operator. The operator shall be responsible for the required testing, Ohio EPA reporting, and obtaining and maintaining all necessary licenses, certifications and accreditations as may be necessary to operate, maintain and manage the facilities.
6. Ensure sampling and testing are performed on time and as required.
7. Perform administrative duties when submitting and reporting information required by Ohio EPA.
8. Be available on a 24-hour on-call basis to give verbal assistance via phone and respond to emergencies if available.
9. Ensure the appropriately certified professional operator of record completes, signs and submits all necessary governmental agency reporting for the operation of the facilities, which will include monthly and annual requirements. A copy of all reports shall be submitted to the village, city, town, etc. by the operator.
10. Ensure certified professional operators under employment comply with the responsibilities of a certified professional operator and provisions of OAC Chapters 3745, 6111, and 6109 and the rules promulgated thereunder.

## **SECTION II – THE SYSTEM REQUIREMENTS**

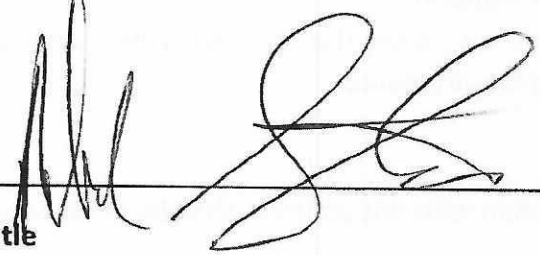
### **THE SYSTEM SHALL DO THE FOLLOWING:**

1. Provide the operator and its authorized agent's access to all property and easements which contain or support the facilities.
2. Designate the operator as a contact to also receive ALL Ohio EPA correspondence.
3. Ensure all relevant personnel, including but not limited to other certified professional operators associated with a facility, are notified of written correspondence from or to Ohio EPA. Ensure that correspondence for Ohio EPA, including compliance letters, monitoring schedules and relevant permits, are shared between the system, the operator and any certified professional operators associated with the facility.
4. Provide the necessary funding for the operation and maintenance of the system to keep the system in compliance as required by Ohio EPA, or any other jurisdictional authority.
5. Provide funding to return the system to compliance pursuant to instructions, recommendations and requirements of the operator.
6. Pursue the correction of any deficiencies, repairs or replacements of failed or damaged equipment or system components for adequate operation of the system as identified by the operator, Ohio EPA or any other jurisdictional authority.
7. Designate an individual (manager, board president, owner, maintenance person, etc.) to approve the expenditure of funds, authorize repairs and receive all communications and correspondence from the operator.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed on the date and year first set forth above.

[The Operator]

BY:

  
\_\_\_\_\_  
Name, Title 7-19-2024  
Date

[The System]

BY:

Michael Krugman Interim Administrator 7/19/24  
\_\_\_\_\_  
Name, Title Date

Village of Greenwich  
\_\_\_\_\_  
System

8. The system maintenance personnel may perform duties under the direction of the operator. Many of the routine duties involved in the operation and maintenance of the system including, but not limited to, tap-in inspections, line cleaning and repairs, equipment maintenance and facility operation.
9. Perform daily visits to the facility on days when the certified professional operator is not fulfilling the minimum staffing requirements.

### **SECTION III – FEES**

The payment for services rendered in connection with this contract shall be in the amount of \$150.00 per week worked.

### **SECTION IV – THE SYSTEM'S INDEMNIFICATION OF ORC**

The system hereby indemnifies the operator, its employees and officers from and against any loss, charge, claim, cost or cause of action of whatever nature which arises out of the operation of the system while this agreement is in force, except in those instances for which the operator, its employees and officers would otherwise be liable for any such loss, charge, claim, cost or cause of action of whatever nature, pursuant to applicable law or regulation, irrespective of this agreement.

### **SECTION V – TERM OF THE CONTRACT**

Upon 60 days advance written notice, either contacted party (System or Operator), may request termination of the contract. The termination date shall be the last day of any month, a minimum of 60 days from the date of the written notice. All contract requirements and payment requirements shall apply through the final date of termination.

### **SECTION VI – NOTIFICATION OF OHIO EPA**

The operator will provide the Ohio EPA with signed copies of this agreement upon request. The operator will also provide the Ohio EPA with the name, address, phone number and certification of the professional operator(s) of record in charge of the system. The system hereby consents to providing this information to the Ohio EPA.

### **SECTION VII – GOVERNING LAW**

This agreement has been executed and will be performed in the State of Ohio, and the laws of that state shall govern its interpretation.

### **SECTION VIII – NONASSIGNABILITY**

Neither party shall have the right to assign its respective duties and obligations hereunder to any other party without first obtaining the written consent of the other party to this agreement.